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Flynt Arrested After Twice Refusing to Yield a Tape of DeLorean to Court

LOS ANGELES, Nov. 1 (AP) — Larry Flynt, publisher of Hustler magazine, was arrested by 15 Federal marshals today after he twice refused a judge's order to produce a tape cassette that could figure into John Z. DeLorean's cocaine trafficking trial.

Mr. Flynt, who is a paraplegic, was arrested shortly before 2 P.M. at his heavily guarded Bel-Air mansion by the marshals, who later wheeled his wheelchair through a crowd of 100 reporters and camera crew members.

Surrendered Without Resistance

Mr. Flynt has said he refused to appear in Federal District Court because he fears for his life when he leaves the safety of his exclusive, walled mansion. On Monday he vowed to shoot anyone who tried to serve him with the arrest warrant.

But today he surrendered without resistance.

"If any of you think this is for publicity, yes, this is a publicity gimmick, Mr.

Flynt, clad in a blue jacket, blue jeans and a "Larry Flynt for President" T-shirt, told reporters. "And I'm glad all of you fell for it."

The tape in question, which is barely audible, is said to show that a Government informer, James Timothy Hoffman, 42 years old, threatened Mr. DeLorean and his young daughter if he did not go along with a proposed drug deal.

Mr. DeLorean, 58, is charged with conspiring to distribute \$24 million in cocaine. The drug purchase was part of an undercover operation of the Federal Bureau of Investigation.

Failure to Appear in Court

Federal District Judge Robert Takasugi ordered the arrest when Mr. Flynt did not show up in his courtroom at 9 A.M. today. On Friday the judge ordered Mr. Flynt to produce the audio tape by 9 A.M. Monday, and when the publisher did not appear then Judge

Takasugi found him in contempt of court.

He gave Mr. Flynt 24 hours to surrender voluntarily. The judge also refused to consider a motion from Mr. Flynt's attorney, Alan Isaacman, inviting the judge to conduct courtroom proceedings in the Bel-Air mansion.

The 40-year-old publisher has been confined to a gold-plated wheelchair since a 1978 assassination attempt in Georgia.

Two judges of the United States Court of Appeals for the Ninth Circuit denied Mr. Isaacman's request for an emergency stay of the warrant and order to appear late Monday. Mr. Isaacman went to Justice William H. Rehnquist of the Supreme Court this morning, but Justice Rehnquist denied the request without comment.

Mr. Flynt became involved in the DeLorean case late last month when he released F.B.I. videotapes in the case

to CBS News. After portions of the tapes were broadcast, Judge Takasugi postponed the trial's scheduled Nov. 1 start indefinitely.

The authenticity of the tape has not been verified, and Mr. Flynt refuses to say where he got his copy, saying only that he paid \$25 million for a "package" of numerous tapes and other material.

In his appeal to the Supreme Court, Mr. Flynt said he had "lost possession" of the tape after playing it for reporters at a news conference at his estate.

He Says U.P.I. Took Cassette

LOS ANGELES, Nov. 1 — Mr. Flynt today accused United Press International of stealing the tape and asserted that it was working with the Central Intelligence Agency.

"My chief of security thinks it was a U.P.I. reporter," Mr. Flynt said as he was being arrested. "U.P.I. denies

this, but U.P.I. has been a tout sheet for the C.I.A. for years."

Douglas Dowle, U.P.I. bureau manager in Los Angeles, said Mr. Flynt's charges were "utterly ridiculous."

Surrounded by armed guards at the Friday news conference, Mr. Flynt played a poor-quality tape and distributed a hand-written transcript of the disputed recording.